

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

8:16CV233

vs.

ORDER

STABL INC., LANT, INC., LEON  
JOHNSON, and ANN JOHNSON,

Defendants.

STATE OF NEBRASKA,

8:16CV351

Plaintiff,

vs.

ORDER

STABL, INC., LANT, INC., LEON  
JOHNSON, and ANN JOHNSON,

Defendants.

This matter comes before the Court on the parties' Joint Motion to Extend Expert Deadlines (Filing No. 66 in Case No. 8:16cv233; Filing No. 78 in Case No. 8:16cv351). Having reviewed the joint motion and for good cause shown,

**IT IS ORDERED** that the Joint Motion to Extend Expert Deadlines (Filing No. 66 in Case No. 8:16cv233; Filing No. 78 in Case No. 8:16cv351) is granted. The provisions of the Court's earlier, final progression orders remain in effect, and in addition to those provisions, the following shall apply:

1. **Disclosure of Expert Witnesses.**<sup>1</sup> Each plaintiff, counter-claimant, and cross-claimant shall identify expert witnesses by **December 11, 2017**, and shall serve expert reports by **February 13, 2018**. Each defendant, counter-defendant, and cross-defendant shall identify expert witnesses by **December 11, 2017**, and shall serve expert reports by **March 15, 2018**. If necessary to refute the disclosed opinions of an expert witness of an opponent, a plaintiff,

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<sup>1</sup> A treating physician must be identified pursuant to [Fed. R. Civ. P. 26\(a\)\(2\)\(A\)](#), but a treating physician is not deemed to be "retained or specially employed to provide expert testimony in the case" so as to require a written report under [Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#).

counter-claimant, or cross-claimant may disclose additional expert witnesses not later than **January 26, 2018**, and shall serve additional expert reports by **April 5, 2018**, provided that the disclosing party then provides all of the information described in Fed. R. Civ. P. 26(a)(2) and makes the expert witness available for deposition prior to the date set for completion of depositions. Supplementation of these disclosures, if originally made prior to these deadlines, shall be made on these deadlines as to any information for which supplementation is addressed in Fed. R. Civ. P. 26(e). The testimony of the expert at trial shall be limited to the information disclosed in accordance with this paragraph.

Dated this 6<sup>th</sup> day of October, 2017.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge